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Remarks

This Amendment is in response to the Office Action dated March 20, 2003. A timely response is due on or before June 20, 2003.

The present application is under a restriction requirement. Applicant confirms his prior election as to the species of the invention shown in Figures 1 through 3, which include Claims 1 and 2. Claims 3 - 5 are withdrawn from consideration.

The drawings and specification were objected to and applicant has made a good-faith effort to correct these matters. Claims 1 and 2 were rejected under 35 USC 112 and applicant has endeavored to also correct these matters.

With regard to the prior art, Claim 1 was rejected under 35 USC 102(b) as being anticipated by Brantman et al (Brantman) U.S. patent 5,924,723. Claim 1 was also rejected as anticipated under 35 USC 102(e) by Peer et al (Peer) U.S. patent 6,474,681 as well as by Tesch et al (Tesch) U.S. patent 6,454,296. Finally Claim 2 was rejected as obvious over Peer in view of Wipasuramonton et al (Wipasuramonton) U.S. patent 6,412,810.

With regard to the rejection of Claim 1 in view of Brantman, Brantman does show a linear (straight) bar, which guides his barrier positioning element 66 (which resembles a cylindrically shaped piston, see Brantman's 76). Upon activation of Brantman's air bag the barrier positioning element 66 (piston) is pulled virtually all of the way down Brantman's straight bar 70, at which time element 66 may become entrapped within a ring 92 (which acts as lock). In the present invention the movable anchor becomes self located at a preferred location in the bar (such as in or near a center of the bar) by virtue of the angled shape of the bar as the air bag constricts in size as it inflates. This self location interaction at a particular point on the bar is not taught by Brantman.

The Peer reference was also used to reject Claim 1. The Peer reference is in concept much like Brantman in that it shows another curtain air bag with a sliding anchor 68b that slides on a straight bar. In Peer's Figures 13 and 14 the sliding anchor is configured as a conventional locking washer with petals 312 arranged to permit downward, sliding motion of the washer but which prohibit upward motion of the washer. The edges of the petals 312 (of the washer) are designed to lockingly engage the wall of the bar 70b.

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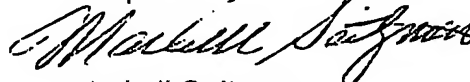
With regard to the Tesch patent, this patent again shows another curtain air bag system which uses a bar 54 to guide a portion of a downwardly moving air bag. The bar 54 is shown in Figures 3 and 4 of Tesch. As the air bag inflates it moves from a stored condition and moves a lateral edge of portion 57, having eyelet openings 56, down the bar 54 to the lower extreme of the bar. The bar includes a locking element 80, which permits one of the eyelets to pass thereover as it moves downwardly but prevents the curtain from moving in an upward direction. The Tesch patent includes a positive lock, which is not the focus of the claimed invention.

As mentioned above, Claim 2 was rejected in view of the combination of the Peer and Wipasuramonton patents. The rejection refers the applicant to Wipasuramonton's Figure 7. Wipasuramonton shows the use of a flat bar that is bent at each end. The basic reason for this construction is not for the purpose of "self locating" a portion of the air bag but it is simply that the bent ends enable the long flat portion of the bar to be spaced from the interior of the vehicle. The rejection states it would be obvious to provide the straight rod of Peer with the bend of Wipasuramonton in order to help the movable anchor to self locate on the rod. It is respectfully noted one skilled in the art would not utilize the rod construction of Wipasuramonton. As mentioned above the Wipasuramonton bar includes bent ends but more importantly the Wipasuramonton bar includes a long flat, straight section, which would not would not serve to "self locate" an anchor in any preferred region or location on the flat bar of Wipasuramonton. Additionally, Claim 2 suggests the structure of the invention includes an apex, a tip or a narrowing, which is not taught in Wipasuramonton.

Applicant has also added new Claims, which are directed to the elected species of the invention.

In view of the aforementioned, it is respectfully urged that the present application be reconsidered, the claims allowed, and the case passed to issue.

Respectfully submitted,



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